

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Operating Engineers Local #49 Health and
Welfare Fund and Central Pension Fund of the
International Union of Operating Engineers and
Participating Employers, Local #49 International
Union Of Operating Engineers and Associated
General Contractors of Minnesota Apprenticeship
and Training Program and their Trustees,

Civil No. 04-1085 (DWF/SRN)

Plaintiffs,

v.

ORDER FOR DISMISSAL

Thielen Construction Co., Inc.,

Defendant.

Mitchell W. Converse, Esq., Jensen Bell Converse & Erickson, PA, and Sharonah A. Jacobus,
Esq., Hellmuth & Johnson PLLC, counsel for Plaintiffs.

IT IS ORDERED that the Clerk forthwith enter judgment dismissing the above action
with prejudice and without costs or disbursements to either party.

Dated: July 7, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court